

**CITY OF PARK RIVER, NORTH DAKOTA, REGULAR COUNCIL MEETING,
MONDAY, AUGUST 10, 2015 AT 7:30 P.M.**

The City of Park River held their regular meeting of the Park River City Council on Monday, August 10, 2015 at 7:30 P.M.

Mayor Stenvold called the meeting to order with the following present: Council members, Kyle Halvorson, Arvid Knutson, Robert “Bob” Lundquist III, Dwight Byron and Keith Anderson, City Coordinator Jolene Halldorson, City Attorney Tracy Laaveg, Public Works Director (PWD) Dennis Larson, and Auditor Ann Berg. Absent: Council member Mike Lorton. Others; Christopher Loewen, Lee Cudmore, Jon Markusen, and Dean Skjerven

Anderson moved and Halvorson seconded to approve the minutes from the July 13, 2015 Regular Council meeting with the correction; “Under Ordinance 17.a The fire must be extinguished by midnight each night”. Upon roll call vote, all voted aye. M/C.

Lundquist moved and Knutson seconded to approve the minutes from the July 28, 2015 Special Council meeting. Upon roll call vote, all voted aye. M/C.

Anderson moved and Byron seconded to approve the following bills for the General Fund and Municipal Utilities. Upon roll call vote, all voted aye. M/C.

General Fund

| | | |
|-------|---------------------------|----------|
| 28658 | Hensel, Patricia | 1,049.93 |
| 59 | NDPERS | 74.75 |
| 28660 | Aflac | 30.94 |
| 61 | Discovery Benefits | 77.00 |
| 62 | NDPERS | 71.13 |
| 63 | PR Airport Authority | 1,673.73 |
| 64 | PR Park District | 4,463.27 |
| 65 | PR Public Library | 1,673.73 |
| 66 | NDPERS | 1,111.32 |
| 67 | Sillers, Laaveg, & Wenzel | 750.00 |
| 68 | BC/BS of ND | 1,685.85 |
| 69 | Pete Kelly | 150.00 |
| 28670 | Jonathan Berg | 150.00 |
| 71 | Productivity Plus Acct | 247.88 |
| 72 | DFD Express Inc | 3,076.50 |
| 73 | FU Service Assoc | 42.00 |
| 74 | Heartland Gas Co. | 254.60 |
| 75 | Jim's Super Valu | 39.57 |
| 76 | Leon's Bldg Center, Inc | 228.39 |
| 77 | Liberty Business Systems | 49.75 |
| 78 | Lon's Hardware | 119.85 |
| 79 | MDU | 110.19 |
| 28680 | Michael Kilmer Const | 2,920.00 |
| 81 | Northdale Oil, Inc | 1,293.53 |
| 82 | North Star Coop | 923.47 |

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| 83 | Polar Communications | 450.47 |
| 84 | PR Airport Authority | 12.77 |
| 85 | PR Park District | 9.82 |
| 86 | PR Public Library | 13.57 |
| 87 | Quill Corporation | 135.42 |
| 88 | Glenn Rost | 250.00 |
| 89 | Special Funds | 22.98 |
| 28690 | US Bank Equip Finance | 172.78 |
| 91 | Walsh County Press | 657.64 |
| 1674-1679 | Salaries | 2,186.97 |
| AW | Payroll Taxes | 2,699.38 |
| AW | Municipal Utilities | 5,775.56 |
| AW | ND ST Tax Commissioner | 264.13 |
| | | <hr/> |
| | | 34,918.87 |

Municipal Utilities

| | | |
|-------|--------------------------|-----------|
| 32961 | Hensel, Patricia | 29.99 |
| 62 | NDPERS | 307.87 |
| 63 | Postmaster | 313.59 |
| 64 | Aflac | 483.10 |
| 65 | Discovery Benefits | 271.32 |
| 66 | General Fund | 5,775.56 |
| 67 | Joint Powers Reserve | 434.26 |
| 68 | NDPERS | 311.49 |
| 69 | Water Treatment Fund | 9,727.42 |
| 32970 | NDPERS | 4,516.24 |
| 71 | BC/BS of ND | 5,426.55 |
| 72 | Advanced Engineering | 2,695.95 |
| 73 | Airborne Custom Spraying | 5,800.00 |
| 74 | AmeriPride Services, Inc | 138.84 |
| 75 | Aqua-Pure Inc. | 2,009.75 |
| 76 | Bank of North Dakota | 30,400.00 |
| 77 | Bank of North Dakota | 44,985.00 |
| 78 | Bank of North Dakota | 35,437.50 |
| 79 | Border States Electric | 4,382.92 |
| 32980 | Butler Machinery Co | 496.63 |
| 81 | City of Fargo | 28.00 |
| 82 | Consolidated Waste | 16,826.80 |
| 83 | Dakota Supply Group | 916.89 |
| 84 | Ethanol Products, LLC | 835.82 |
| 85 | Graymont (WI) LLC | 5,383.76 |
| 86 | Hawkins Inc | 934.32 |
| 87 | Dan Holdvogt | 44.31 |
| 88 | Penny Holsinger | 37.17 |
| 89 | Lagoon Maintenance | 1,734.05 |
| 32990 | Light & Water Dept | 2,339.98 |
| 91 | Lindell's Mowing | 500.00 |
| 92 | Lon's Hardware | 115.83 |

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|-----------|-----------------------------|-------------|
| 93 | Michael Kilmer Const | 4,500.00 |
| 94 | Municipal Utilities | 484.97 |
| 95 | ND One Call Inc. | 28.60 |
| 96 | ND Sewage Pump Lift Station | 556.00 |
| 97 | NDPERS | 17.75 |
| 98 | Northdale Oil, Inc | 205.37 |
| 99 | North Star Coop | 543.68 |
| 33000 | Armidia Palafox | 33.55 |
| 1 | Polar Communications | 156.67 |
| 2 | Quill Corporation | 9.77 |
| 3 | Sensus USA | 414.41 |
| 4 | Sillers, Laaveg, & Wenzel | 104.90 |
| 5 | Simmons Multimedia USA | 41.00 |
| 6 | Terex Services | 38.86 |
| 7 | Thatcher Company of Montana | 8,756.00 |
| 8 | Water Bond Fund 05 | 4,830.00 |
| 9 | Water Rev Bd Fd Phase II | 3,450.00 |
| 33010 | Water Sur-Charge Fund | 5,000.00 |
| 11 | Water System Repr & Replc | 1,500.00 |
| 12 | Water Tower Fund | 11,206.50 |
| 13 | Water Treatment Fund | 11,301.35 |
| 14 | Ye Olde Medicine Center | 59.08 |
| 7380-7408 | Salaries | 26,588.30 |
| AW | Payroll Taxes | 7,873.73 |
| AW | NMPA | 133,270.75 |
| AW | First United Bank ACH Chg | 12.50 |
| AW | ND ST Tax Commissioner | 993.93 |
| AW | Job Service ND | 90.77 |
| | | <hr/> <hr/> |
| | | 405,709.35 |

Knutson moved and Halvorson seconded to approve payment of the following checks for Special Funds, Project invoices and the transfer of \$55,000 from the Lagoon Maintenance Fund to the Water Tower Fund for debt service. Upon roll call vote, all voted aye. M/C.

Special Funds

| | | |
|------|--------------------|-------------|
| AW | Main Street Checks | 42.24 |
| 3446 | Hospital Bond Fund | 21,897.64 |
| 3447 | First United Bank | 75,000.00 |
| 3448 | First United Bank | 22,481.37 |
| | | <hr/> <hr/> |
| | | 119,421.25 |

125th-City of Park River

| | | |
|----|-------------------|-------------|
| 23 | Rodney Byron | 100.00 |
| 24 | Northdale Oil Inc | 48.97 |
| | | <hr/> <hr/> |
| | | 148.97 |

Water & Sewer Improve Dist 2012-1

| | | |
|------|----------------------|------------|
| 1017 | PR Economic Dev Corp | 278,574.83 |
| 1018 | PR Economic Dev Corp | 13,000.00 |

| | | |
|---|--------------------------|------------|
| | | 291,574.83 |
| <u>St Improvement Dist #2012-2</u> | | |
| 5024 | First United Bank | 4,373.75 |
| 5025 | Ann Berg | 5.95 |
| 5026 | PR Economic Dev Corp | 30,075.00 |
| 5027 | Sillers, Laaveg & Wenzel | 45.00 |
| 5028 | WC Press | 19.68 |
| | | 34,519.38 |
| <u>St Improvement Dist #2013-1</u> | | |
| 3025 | City of Park River | 27,410.70 |
| 3026 | Red River Reg Council | 26,990.44 |
| 3027 | WC JDA | 23,983.95 |
| 3028 | City of Grafton | 13,705.35 |
| 3029 | Polar Communications | 11,052.72 |
| 3030 | City of Park River | 1,016.84 |
| | | 104,160.00 |
| <u>Water Tower Fund</u> | | |
| 10047 | Advanced Engineering | 23,817.65 |
| 10048 | Maguire iron, Inc | 108,509.81 |
| 10049 | US Bank | 93,131.25 |
| | | 225,458.71 |

Lundquist moved and Anderson seconded to approve the transfer of the American Legion liquor license for the following events; 8-21-15 to Coliseum for Yager/Rost wedding, 9-12-15 to Coliseum for Horsley/Koenig wedding, 9-18-15 to Coliseum for the FCHC Harvest Fest. Upon roll call vote, all voted aye. M/C.

The Employee Relations Committee is recommending to the Council to pay newly appointed building inspector Peter Kelly \$40 per hour for inspection work. Knutson moved and Halvorson seconded to pay Peter Kelly \$40 per hour as building inspector and review the position in six months. Upon roll call vote, all voted aye. M/C.

Council member Lorton arrived at 8:47 PM.

PWD Larson updated the Council on the water tower project progress. The tower is filled with water and is on-line. The old water tower will be taken down within the next two weeks. The new tower increased water pressure in the City by about ten percent. Substantial completion requests have been received from Naastad Bros, Inc and Knife River Materials. The water tower project engineering company, Advanced Engineering, recommends signing the substantial completion forms. The City also received word the State Water Commission approved an additional fifteen percent, approximately \$465,000., in funding for the project.

**CITY OF PARK RIVER, NORTH DAKOTA
RESOLUTION CREATING AND DEFINING THE BOUNDARIES FOR WATER AND
SEWER IMPROVEMENT DISTRICT NO. 2015-1**

BE IT RESOLVED by the City Council of the City of Park River, North Dakota (the "City") as follows:

1. There is hereby created Water and Sewer Improvement District No. 2015-1 (the "District") of the city, pursuant to and for the purpose of making an improvement of the type specified in North Dakota Century Code Chapter 40-22, to consist of, but not be limited to, the construction and installation of Water and Sewer infrastructure within the 80 acre Industrial Park and the acquisition of any necessary rights-of-way in connection therewith, as well as all other items of work and materials which are necessary or reasonably incidental to the completion of the improvement; the improvement to be made in accordance with the plans and specifications.

2. The District, as herein described, is of such size and form as to include all properties which in the judgment of this governing body, after consultation with the engineer planning the improvement, will be benefitted by all or a portion of the improvement. The District shall include the lots, tracts and parcels of land situated within the Corporate Limits of the City of Park River, North Dakota, and shown on the map attached hereto as Attachment 1, and with the legal description of the area being set for on Attachment 2 hereto.

3. The cost of the improvement, or a portion thereof, as may be determined from time to time by this governing body in its resolutions or ordinances, shall be paid by special assessments assessed against lots, tracts and parcels of land within the District in amounts proportionate to and not exceeding the benefits derived from the improvement. The City Auditor, City Attorney, Mayor and other officers designated by the City are authorized to coordinate the project and provide for financing the cost thereof with KLJ, Inc (engineer), Arntson, Stewart & Wegner PC (bond Counsel) and First United Bank (financial advisor).

Dated and adopted this **10th** day of **August, 2015**

Dan Stenvold, Mayor

Attest:

Ann Berg, City Auditor

The governing body of the political subdivision acted on the foregoing resolution on August 10th, 2015 as follows: Adoption moved by Halvorson and seconded by Anderson.

Roll call vote: "Aye" Lorton, Halvorson, Knutson, Lundquist, Byron & Anderson

"Nay" None Absent: None Abstain: None

After the vote, the Mayor declared the resolution adopted.

Laaveg presented the lagoon hay land farm lease to the Council. Marlin and Christopher Loewen received the contract for four years on a per bale price and were required to cultivate and re-seed the land during the first and the last, fourth, year of the lease. Laaveg spoke with WC Extension Agent Brad Brummond, about current rents for hay land and, is recommending a flat rate be set that is agreeable to both parties. M. Loewen informed the Council that they have only had three years of production on the land and the alfalfa planted is just starting to mature and produce well. Prior year's production rent was \$156.00 and \$140.00 but Loewen felt this year's and next year's production should be doubled and offered a flat rate of \$400 per year. Laaveg recommended extending Loewen's lease for an additional two years. Lundquist moved and Byron seconded to extend Loewen's farm lease on the lagoon hay land for an additional two years and charge \$400 rent per year. Upon roll call vote, all voted aye. M/C.

Lee Cudmore of the Kensington Township Board appeared and asked when road maintenance would be done on 135th Ave NE gravel where the pavement ends extending to the Rushford Township line. Council was under the impression that maintenance of the paved portion of the road was the City's responsibility. PWD Larson was instructed to replace the gravel that was washed away earlier this summer.

City Administration would like to form a Public Works sub-committee to search for ways to fund the infrastructure costs for the Water and Sewer Improvement District #2015-1. Mayor Stenvold will chair the sub-committee and appointed the following; City Attorney Laaveg, PWD Larson, City Coordinator Halldorson, Auditor Berg, Council member Lundquist, Steve Rehovsky, Jon Markusen, Leon Schmitz, and Daryl Larson.

CITY OF PARK RIVER, NORTH DAKOTA

RESOLUTION REGARDING TRANSFER OF FUNDS AND CLOSING OF ACCOUNTS

BE IT RESOLVED by the governing body of the City of Park River, North Dakota, pursuant to a recommendation by the City Auditor, that the following transfers and allowances be made between the different funds held by the City of Park River as follows:

1. Close out Water Supply Improvement fund (Line Item #628):

Currently, the water Supply improvement Fund (628) owes \$125,510.03 to the Municipal Utilities Water Fund (601). The balance in the Water Supply Improvement Fund (628) is \$10,024.84. Recommendation is to transfer balance from Water Supply Improvement Fund (628) to Municipal Utilities Water Fund (601) and close Water Supply Improvement Fund (628). Balance remaining on the debt to the Municipal Utilities fund (601) in the amount of \$115,485.19 should be forgiven.

2. Forgive debt from General fund to Municipal Utilities Water Fund:

Funds were previously transferred from the Municipal Utilities Water Fund (601) to the General Fund (101) for off building purchase and remodeling in the amount of \$81,047.46. A debt was created to track this transfer. Recommendation is to forgive this debt.

3. Close out Hospital Sales Tax Savings Account:

'05 tax revenue funds have been transferred into both checking and savings accounts for the '05 Sales taxes collected. Recommendation is to transfer balance of savings account \$155,510.02 into the checking account for the same line item (241) and close out the savings account.

4. Close out Estate Tax Fund Savings Account:

In the past, funds from an estate tax were transferred into a savings account. The balance in this account is currently \$323.44. Estate taxes are now collected by the state, so no further isolation of these funds is necessary. Recommendation is to transfer this balance into the general fund and close the Estate Tax Fund savings account (248)

5. Close out Water Treatment Maintenance Fund Savings Account:

Funds were transferred into a Water Treatment Maintenance Fund Savings account (625) in the past. The current balance in this account is \$32,331.99. Recommendation is to transfer these funds into the Water Systems Repair & Replacement Fund Savings Account (632) and close our Water Treatment Maintenance Fund Savings Account (625)

6. Close out Lagoon Maintenance Fund Savings account:

Lagoon Maintenance Fund Savings Account (610) currently has a balance of \$191,686.52. Recommendation is to transfer this balance to Municipal Utilities Sewer Fund (603) and close out savings account.

7. Combine Lagoon and Sewer and Lagoon Maintenance Fund checking accounts:

Currently there are separate accounts for Sewer Maintenance (603) and Lagoon Maintenance (610). Recommendation is to combine them into the Sewer and Lagoon Maintenance Fund (603)

8. Transfer 125th funds into general fund and create line items for Community Celebration:

Currently the 125th Celebration has a separate checking account (232) with a balance of \$2,029.27. Recommendation is to transfer these funds into the general fund and set up line items in general fund for community celebration revenue and expense.

9. Balance Municipal Utilities Water and Electrical funds:

For many years, expenses were paid from the MU Water fund (601) rather than the MU Electrical fund (602), resulting in a negative balance of (\$607,019.21) in the MU Water Fund (601) and a surplus balance of \$792,732.56 in the MU Electrical fund (602). When the joint venture agreement began with the Walsh Rural Water District, all expenses are now required to be transferred to the direct account. Recommendation is to offset balances on two accounts, so account balances two accounts will be equal as of December 31, 2014. Result will be that MU Water Fund (601) will have a balance of \$92,856.67 and MU Electrical Fund (602) will have a balance of \$92,856.68.

Dated and adopted this 10th day of August, 2015

CITY OF PARK RIVER, NORTH DAKOTA

Mayor

ATTEST:

City Auditor

The governing body of the political subdivision acted on the foregoing resolution on August 10th, 2015 as follows: Adoption moved by Lundquist. Seconded by Lorton.

Roll call vote: "Aye" Lorton, Halvorson, Knutson, Lundquist, Byron & Anderson

"Nay" None Absent: None Abstain: None

After the vote, the Mayor declared the resolution adopted.

The Park River Area School District #8 has approached the City about purchasing the land where the old water tower is located and putting a parking lot on the site. Upon discussion it was decided to deny the request and keep the land for maintenance of the water tower.

Lundquist mentioned the possibility of forming a Fourth of July committee, rather than rely on one or two people or organizations, to plan and implement all activities. This year's scavenger hunt was very well received, but when activities are repeated yearly people tend to lose interest. New ideas are welcome and could be implemented into the celebration. Council members Halvorson and Lundquist with city

employees D. Larson, Halldorson, Hensel and Berg and resident/business owner Jason Lindell have stepped forward to sit on and help organize the committee/event. The Park River Community Club and PR Volunteer Fire Dept will continue to help with activities and fireworks with PR Implement sponsoring the pedal tractor pull event. The committee is looking for volunteers to help turn Park River into “the” July 4th destination. A notice will be published in the paper seeking volunteers.

Halldorson is asking the Council for permission to solicit bids for having an independent assessing company evaluate all buildings/properties in the City. This year Walsh County Tax Director Mary Wild needed to add a 10% across the board increase to the assessed values in the City of Park River to be in compliance with state regulations. Most properties in the City have not had assessment visits since the early 1980’s and homes have been remodeled and have not been brought up to date. The Council was concerned about the cost of the proposed assessments. Laaveg informed the Council that if the bids are found to be unfavorable, the Council has the right to refuse all bids submitted. Council granted permission to advertise for bids as requested.

Halldorson reported that the City has been approached by Northdale Oil, Inc about purchasing the 20’ wide lot north of the dairy queen property. Upon researching the property she found that the City only owns the south 10’ and notified Northdale Oil, Inc. of the findings

Some residents have expressed concern about people walking their dogs on the bike path and not picking up feces left by their dog. The Bike Path Ordinance 25.b currently states that no animals are allowed on the bike path. Stenvold questioned if the feces were actually from dogs and not coyotes or other wild animals. Ordinances are currently in the process of revision and Laaveg recommended changing the ordinance to allow leashed dogs on the bike paths. Halvorson suggested adding a dog park to Green Acres Addition. No action was taken at this time.

Residents bordering the alley between Hobbs St W and 401 Hill Ave N are asking the City to change the alley into a green space and slope it for drainage. Laaveg stated there are procedures in place for vacating an alley or street and the first step is for the residents to file a legal petition signed by all property owners, adjoining the plat to be vacated. The petition needs to set forth the reason for the vacation and be accompanied by a plat and shall be verified by oath of at least one of the petitioners, i.e. notarized. Once the City Auditor has determined that the petition meets the ND Century Code it will be published for four consecutive weeks after which a public hearing would need to take place. If the alley is vacated the property owners will be responsible for changing the alley into a green space along with the upkeep, but the City would retain easement for utilities located in the alley. PWD Larson stated there are 2 water mains located in the alley; a 10” line from Homme Dam and a 12” line from the wells and probably phone and natural gas lines as well. Lundquist recommended having the Street Committee meet with all property owners and bring a recommendation to the Council in September.

Being no further business, the meeting adjourned at 8:55 PM.

Dan Stenvold, Mayor

ATTEST:

Ann Berg, City Auditor